

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<hr/> <b>EDWIN SMITH,</b>	:	
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL ACTION NO. 15-3222</b>
	:	
<b>MARK V. CAPOZZA,</b>	:	
<b>Respondent.</b>	:	
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**ORDER**

**AND NOW**, this 6th day of September 2018, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, and all related filings, and upon review of the Amended Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, and for the reasons discussed in the accompanying Memorandum Opinion, it is hereby **ORDERED** that:

1. The Amended Report and Recommendation (Doc. No. 90) is **APPROVED** and **ADOPTED**, as set forth in the accompanying Memorandum Opinion;
2. The Petition for Writ of Habeas Corpus (Doc. No. 1), and all supplements and amendments thereto, are **DENIED**;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of Court is directed to **CLOSE** the case for statistical purposes.

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe

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**CYNTHIA M. RUFÉ, J.**